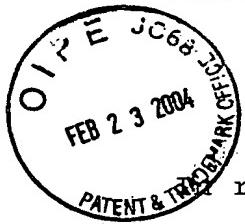


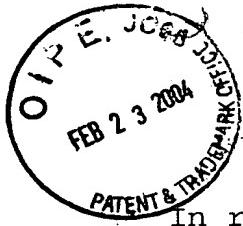
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



re the Application of) Examiner: Russell Kallis
Kirby, Edward G., et al.) Group Art Unit: 1638
)
Serial No.: 09/763,005)
)
Filed: 04/20/2001)
)
For: "Transgenic Poplar Trees)
Having Improved Nitrogen)
Metabolism by an)
Integrated Transgene)
Constitutively Expressing)
a Pine Glutamine)
Synthetase and Methods)
of Making and Using the)
Same")

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER37 C.F.R. §1.116

In response to the Official Action mailed December 22, 2003, please amend the above-identified patent application as follows:



Image

AF
1638

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kirby, Edward G., et al.

Serial No. 09/763,005

Filed: April 20, 2001

For: "TRANSGENIC POPLAR TREES
HAVING IMPROVED NITROGEN
METABOLISM BY AN INTEGRATED
TRANSGENE CONSTITUTIVELY
EXPRESSING A PINE GLUTAMINE
SYNTHETASE AND METHODS OF
MAKING AND USING THE SAME"

Certificate of Mailing Under 37 CFR §1.8(a)

I hereby certify that this Correspondence is being deposited on
February 20, 2004 with the United States Postal Service as first-class
mail in an envelope properly addressed to COMMISSIONER FOR PATENTS, P.O. Box
1450, Alexandria, VA 22313-1450.


Janice M. Nightlinger

Computation of Additional Fee for Extension

[X] No Additional Fee is required.

[] A check is enclosed in the amount of \$ _____

*Applicant is a Small Entity.

In the event the check is improper, or the fee calculation is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, Account No. 04-1406. A duplicate copy of this sheet is enclosed.

DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

By


Kathleen D. Rigaut, Ph.D., J.D.
PTO Registration No. 03,047

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Customer No. 000110